

Tenants, landlords are pondering alternatives to eviction

The Eviction Resolution Program brings parties together to prevent a wave of displacement.

by [Ian Davis-Leonard](#)

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EVERETT — Unpaid rent, not-so neighborly behavior and other unresolved grievances can make the landlord-tenant relationship unpleasant during the pandemic.

With a statewide eviction moratorium prohibiting legal action, a pilot program [authorized by the state Supreme Court](#) aims to settle the issues hampering landlords and tenants without court intervention.

The [Eviction Resolution Program \(ERP\)](#) requires landlords engage tenants in mediation efforts with trained professionals before legal recourse can begin when the moratorium ends.

Specialists from the [Volunteers of America Dispute Resolution Center \(DRC\)](#) act as the go-between in Snohomish County. They evaluate the needs of both parties and discuss if a successful landlord-tenant relationship is possible moving forward.

“You’d be surprised how often, when two people are trying to look at the same problem together, they can find a unique solution for them,” said LaDessa Croucher, senior director of the DRC.

During the statewide eviction moratorium — in place since March and [extended until at least March 2021](#) — involvement is optional. But when the moratorium ends, engagement in the ERP will be mandatory before a landlord can seek resolution from the court.

Six counties — King, Pierce, Clark, Thurston, Spokane and Snohomish — are participating in the ERP. These areas account for nearly 80% of annual eviction filings in Washington.

Snohomish County Superior Court presiding Judge Bruce Weiss said concern of an overload of evictions after the moratorium motivated [the county’s involvement in the program](#).

He said resolving cases out of court is advantageous, costing less time, money and heartache, and involving all sides in the outcome.

“They know what the outcome is going to be as opposed to when you go to court you never know what is going to happen,” Weiss said.

Before eviction lawsuits will be initiated — and after the moratorium ends — landlords must offer tenants two notices with resources and information on early resolution options.

If a tenant is interested in pursuing a settlement, DRC specialists explore options for repayment of overdue rent and potential resolutions for other nagging matters hindering the relationship.

Brett Waller directs government affairs for the Washington Multi-Family Housing Association, an advocacy group for about 1,700 properties in Washington. He said some local property owners have reported residents overwhelmed with tears of joy after receiving rental assistance.

“We are really hopeful the program is going to be a successful model for the state to assist tenants who are struggling to pay their rent moving forward through the rest of the pandemic,” he said.

For landlords, complying with the voluntary requirements now will satisfy the prerequisites required to seek relief from the court if necessary after the moratorium concludes.

“The hope was that people would start going through the process now, getting their cases resolved, so it would never come into the court system,” Weiss said.

Earlier this month, Croucher said the DRC was working 85 cases. Two of those cases are landlords with a total of 279 tenants owing back rent.

Some instances can be solved with rental assistance available through the federal CARES Act. Other more complicated situations need specific arbitration from two of the DRC’s highly-trained resolution specialists.

“The idea is we have given them a chance to come in, learn about what financial assistances are viable, what they qualify for and hopefully find a wrap around to a solution other than court,” Croucher said.

Not all disputes will be resolved without legal intervention, but Croucher said the DRC hopes to remove some of the burden clogged caseloads could have on the court system.

When necessary, tenants who qualify can receive free representation from attorneys with [Snohomish County Legal Services' Housing Justice Project](#) (HJP).

Jane Pak, interim executive director of Snohomish County Legal Services since October, said removing barriers to access the nonprofit has been pivotal during COVID-19.

Traditionally, drop-in services for the HJP are offered at the Snohomish County Courthouse, but in-person service are shuttered by the virus. Most clients tend to wait until the last minute for help and with evictions on hold, Pak said many folks aren't seeking assistance.

"That doesn't mean the problem goes away, people are just kicking the can down the road so to speak, so we are just preparing for when that happens," she said.

As uncertainty lingers, the HJP has adopted proactive approaches to serving clients.

This includes workshops to expunge a tenant's record of previous evictions where applicable to make them more desirable candidates for future housing. Videos are being created to help navigate paperwork and mobile stations are in the works for clients who may not have access to technology.

"We are using this time to fine-tune what we can, because we know that our resources will be stretched," Pak said.

Across the county, stakeholders shared hope that the preemptive efforts of the ERP will chip away at disputes and avoid unnecessary evictions.

Weiss said the unique partnership is unlike anything he's been involved with and Pak said success of mediation on a large scale could change the landscape of evictions in Snohomish County for the better.

For her part, Croucher said disagreements are normal, but how folks navigate those clashes may be the difference between someone having a roof over their head or living on the street.

"We are always going to have landlord-tenant conflict and the sooner you can help a landlord and tenant resolve that conflict you've stabilized housing," Croucher said.

Individuals in need of rental assistance are encouraged to call the Volunteers of America 2-1-1 line. Tenants seeking legal representation can contact the Housing Justice Project at 425-258-9283.

Ian Davis-Leonard: 425-339-3448; idavisleonard@heraldnet.com; Twitter: [@IanDavisLeonard](#).



Ian Davis-Leonard is a reporter covering working class issues at The Daily Herald through a partnership with Report for America, a national service initiative placing journalists into local newsrooms to report on under-covered issues and communities. [Learn more about Ian.](#)

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